

Sec. 17b-179b-4. Arrearage liquidation

(a) Definitions

As used in this section:

(1) “Arrearage liquidation” means an arrearage adjustment, as defined in section 17b-179b-1 of the Regulations of Connecticut State Agencies, of one hundred percent in accordance with this section based on a lump sum payment by the noncustodial parent of a specified percentage of the existing arrearage;

(2) “Liquidation percentage” means the portion of a noncustodial parent’s total arrearage that may be accepted by the Commissioner of Social Services in full satisfaction of the support arrearage owed to the State of Connecticut.

(b) Eligibility

A noncustodial parent or obligor shall be eligible for arrearage liquidation of state-owed arrearages if the requirements of this subsection are met.

(1) State-owed arrearage

There is an arrearage owed to the State in a child support case that would take the obligor at least five years to pay in full at the rate of payment calculated in accordance with the Arrearage Guidelines established in section 46b-215a-4a of the Regulations of Connecticut State Agencies.

(2) Obligations to custodial party

(A) Current support

If there is a current child support obligation payable to the custodial party:

- (i) payments shall be current, or
- (ii) any payments owed to the custodial party shall be paid prior to or at the time of the arrearage liquidation.

(B) Arrearage

Any arrearage payable to the custodial party shall be paid in full prior to or at the time of the arrearage liquidation.

(c) Liquidation percentage

The liquidation percentage for State-owed arrearages shall be determined with reference to the following “Arrearage Liquidation Table”, to be used in conjunction with the liquidation percentage factors set forth in subsection (d) of this section:

ARREARAGE LIQUIDATION TABLE		
<i>If it would take the obligor the following number of years to pay the arrearage in full:</i>	<i>the liquidation percentage shall be . . .</i>	
	<i>at least . . .</i>	<i>but no more than . . .</i>
5	70%	85%
6	68%	83%
7	66%	81%
8	64%	79%
9	62%	77%

ARREARAGE LIQUIDATION TABLE		
<i>If it would take the obligor the following number of years to pay the arrearage in full:</i>	<i>the liquidation percentage shall be . . .</i>	
	<i>at least . . .</i>	<i>but no more than . . .</i>
10	60%	75%
11	58%	73%
12	56%	71%
13	54%	69%
14	52%	67%
15	50%	65%
16	48%	63%
17	46%	61%
18	44%	59%
19	42%	57%
20 or more	40%	55%

(d) **Liquidation percentage factors**

(1) Specific

The applicable liquidation percentage shall be reduced by three percent from the higher percentage listed in the table set forth in subsection (c) of this section for each of the following factors:

(A) The obligor is presently living with the child or has made regular support payments for the past three months.

(B) The obligor has paid at least twenty-five percent of the child's college or private secondary school tuition for one semester.

(C) The obligor has satisfactorily completed a Parenthood Program, as defined in section 17b-179b-1 of the Regulations of Connecticut State Agencies.

(D) The obligor was not present at a court hearing held to determine the obligor's initial arrearage, and the court used a standard other than the obligor's actual past ability to pay to determine at least six months of such arrearage.

(E) At least six months of the obligor's arrearage accrued while the obligor was incarcerated or unemployed.

(F) The obligor has received a disability determination from the federal Social Security Administration.

(2) Non-specific

If full payment of the arrearage would take twenty years or more, the applicable liquidation percentage shall be reduced by the following percentages from the higher percentage listed in the table set forth in subsection (c) of this section:

(A) Three percent if full payment of the arrearage at the guidelines rate would take twenty-five years or more.

(B) Six percent if full payment of the arrearage at the guidelines rate would take thirty

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years or more.

(C) Nine percent if full payment of the arrearage at the guidelines rate would take thirty-five years or more.

(D) Twelve percent if full payment of the arrearage at the guidelines rate would take forty years or more.

(3) Limitation

The combined percentage reductions applied pursuant to subdivisions (1) and (2) of this subsection shall not reduce the applicable liquidation percentage below the lower percentage listed in the table set forth in subsection (c) of this section.

(Adopted effective May 24, 2004)